

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
January 20-24, 2003

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
1-22	EX	75/373,773	Cumulus Broad-casting, Inc.	Cissel* Hanak Hohein	2(d)	Refusal Affirmed		"CUMULUS BROADCASTING INC." [radio broadcasting services]	"CUMULUS" [production and distribution of television programs and films]	Stoides	No
1-22	EX	75/660,252	OMS Investments, Inc.	Hanak Hohein Bucher*	whether applicant's mark is registrable under Section 2(f)	Refusal Reversed		"WINTERIZER" [lawn fertilizer for agricultural and domestic use; combination of lawn fertilizer and herbicide for agricultural and domestic use]		Bell	No
1-22	EX	76/109,182	Uranus Laboratories, Inc.	Simms Hohein Chapman*	2(e)(1)	Refusal Affirmed		"THE TECHNO-POPS" [musical sound recordings and video recordings featuring animation and entertainment; downloadable musical sound recordings and downloadable video recordings featuring animation and entertainment]		Regan	No
1-22	EX	76/137,905	Logicon, Inc.	Seeherman Bucher* Drost	2(e)(1)	Refusal Reversed		"LogicEd" (in stylized lettering) [educational services, namely, providing seminars and training in the use and operation of computer systems, computer networks, information systems, and business machinery and equipment]		K. Le	No

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1-22	EX	76/096,993	Marichem Marigases Hellas Ltd.	Simms* Hanak Bucher	2(d)	Refusal Affirmed as to both classes in the application and as to all 4 cited registrations		"MARICHEM" [In Class 1: soluble powdered compositions for hardness reduction and phosphate control in boiler water systems, chemical descalers for removing scale from engines, machinery, tools and equipment, etc.; in Class 3: compositions for cleaning toilets, sinks, showers, and similar facilities in marine vessels, solvent emulsifiers for cleaning tanks and degreasing oil coolers, pre-heaters, bilges, etc. in marine vessels, degreasers for the removal of oils and fats from surfaces in marine vessels, etc.]	4 cited registrations, all owned by the same entity: "MIRACHEM" and "MIRACHEM" (in stylized lettering), [both marks for rust remover, all purpose automotive cleaner, and industrial strength cleaner for use in removing grease, dirt and oil from surfaces]; "MIRACHEM" [all purpose cleaning preparations for use in the removal of organic substances (such as grease, oil and carbons) and inorganic substances (such as rust, corrosion, and water scale) from any surface or material; "MIRACHEM" (in stylized lettering) [all-purpose cleaning and degreasing preparations]	R. McMorrow	No
1-22	EX	75/671,647	Geektech, Inc.	Simms Cissel Hohein*	2(e)(1)	Refusal Affirmed		"LIVETEEN.COM" [providing websites on global computer networks featuring information in the field of adult entertainment]		Rodriguez	No

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1-22	EX EX EX	76/113,622 76/113,623 76/113,624	John M. Beaman	Seeherman Chapman* Bottorff	2(e)(1); whether applicant's identification of goods is sufficiently definite	Refusal Affirmed in all three cases and on both grounds asserted		"PAC," "PAK," and "PACK" [<i>all three marks for</i> "prepackaged medication"]		Michos	No
1-23	EX	78/044,248	Johnson & Johnson	Seeherman* Hanak Drost	2(d)	Refusal Affirmed		"NAVIGATOR" [medical devices, namely, pain management catheters]	"NAVIGATOR" [extracorporeal electronic apparatus for locating the position of a catheter disposed within a patient's body]	Kovalsky	No
1-23	EX	75/598,434	Tele Danmark A/S	Cissel* Seeherman Hairston	2(d)	Refusal Affirmed		"DUET" (and design) [telecommunications services, namely, personal and business communications services; telephone and telegraph communications services, namely, cellular telephone services, facsimile transmissions, radio and TV broadcasting, including through cable television, broadcasting programs via a global computer network; delivery of messages and pages by electronic transmission; leasing of communications apparatus, including telephony apparatus]	"FAST PACKET DUET ADVANTAGE" [telecommunications services, namely, the electronic transmission of radio, voice, and data; switch to multi-megabit data service (SMDS); and exchange access frame relay services (XA-FRS)]	Benzmiller	No

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1-23	EX	75/617,596	Willow CSN Inc.	Chapman Bucher Drost*	2(e)(1); whether applicant's mark is registrable under Section 2(f)	Refusal Affirmed		"CYBERAGENT" [employment and career development services, namely, personnel recruitment, training and placement; payroll and accounting services; and telecommunications services, namely, telemarketing, telephone and electronic call center services and telephone answering services; educational services and training, namely, conducting classes, workshops and seminars in person, by videotape and broadcast and by electronic means in the field of telecommunications services, namely, telemarketing, telephone answering services, and telephone and electronic call center services, customer service, computer operation and data processing]		Young	No
1-23	EX	75/582,044	Cleaner's Supply, Inc.	Seeherman* Hairston Chapman	2(e)(1)	Refusal Reversed		"BRIDAL KEEPSAFE" [cardboard and paper boxes for storing gowns after dry cleaning]		Dwyer	No

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1-23	OPP OPP OPP	119,231 119,491 119,806	Teccor Electronics, Inc. v. Tecore, Inc.	Simms Hairston Drost*	2(d)	Opposition Sustained as to the goods in Class 9 of each challenged application but Opposition Dismissed as to all the services in each challenged application [Classes 35, 37, 41 and 42]	"TECCOR" and "T" design mark <i>[both marks for electric power controls and semiconductor components for consumer industrial and commercial applications in which A.C. or D.C. power is switched and controlled, including power controls for household appliances, for lighting, heating, ventilating and air conditioning equipment, for power hand tools and for business machines and transient surge protectors for telecommunications equipment, for household appliances and for business machines]</i>	"T TECORE" (and design) <i>[In class 9: integrated telecommunications networks comprising T1 circuit boards, E1 circuit boards, digital signal processor boards, modems; and computer operating system software for use in telecommunications networks; computer hardware for telecommunications networks; and computer software for use in networking and control of communications networks; In Class 42: project management, namely, telecommunications computer network design for others; computer consultation, namely, analysis of telecommunications system traffic; design and integration of telecommunications computer systems and networks]; (cont'd next page)</i>			No

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								<i>(cont'd from previous page)</i> "TECORE" and "TECORE" (in design format) [both marks for goods in Class 9 as recited above and services in Class 42 as recited above, plus the following services: In Class 35: business management regarding telecommunication systems; In Class 37: installation and repair of telecommunication systems; In Class 41: telecommunication system education training seminars]			
1-23	EX	76/019,444	Waterpik Technologies, Inc.	Cissel* Hohein Drost	2(d)	Refusal Affirmed		"ONE TOUCH" [electronic controls for pools and spas, namely, an automated control panel that allows the user to control lighting, jet streams, filtering, and other functions of pools and spas from a remote location]	"ONE TOUCH" [thermostats]	Umansky	No

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